

UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

THOMAS AND CATHY MALLOY,	:	CIVIL NO. <b>1:04-CV-1631</b>
	:	
Plaintiffs	:	(Magistrate Judge Smyser)
	:	
v.	:	
	:	
THE BRINKMANN CORPORATION,	:	
	:	
Defendant	:	

**ORDER**

On August 25, 2005, the parties filed a Voluntary Dismissal with Prejudice (Doc. 25). Therefore, **IT IS ORDERED** that this action is dismissed without costs and without prejudice to the right, upon good cause shown, to reinstate the action within sixty (60) days if the parties find the need to do so. **IT IS FURTHER ORDERED** that the pretrial conference set for September 22, 2005, and the trial set for October 3, 2005 are **CANCELED**. The Clerk is directed to close this file.

**/s/ J. Andrew Smyser**  
J. Andrew Smyser  
Magistrate Judge

Dated: August 26, 2005.